IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
Notice of Motion No.1366 of 2007
In
Appeal No.241 of 2007
In
Misc.Petition No.35 of 1994
In
Testamentary Petition No.594 of 1990

Dr.Faram Eruch Irani & Ors. .. Appellants (Org.Respondents)

Vs.

Miss Aloo Navjoj Pavri & Anr. .. Respondents (Org.Petitioners)

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S/Shri V.A.Thorat, Senior Advocate, with P.J.Thorat and S.T.Shaikh i/b M/s.S.K.Srivastav & Co. for the Appellants.

S/Shri P.M.Modi with Ranjit Bhonsale i/b Ms Vanita Kakar for the Respondents.

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CORAM : R.M.S.KHANDEPARKAR &
D.G.KARNIK, JJ

DATED : 17TH APRIL, 2007

P.C.

1. Heard. The question of grant of relief in the nature asked for does not arise. However, in view of the admission of Appeal No.241 of 2007, though the Learned Probate Court shall proceed with the matter, shall not dispose of the probate proceedings by final order till and until the disposal of the said Appeal

No.241 of 2007.

2. As regards the prayer for appointment of Court Receiver, it is now well settled that appointment of Court Receiver in probate proceedings does not arise, and therefore, the question of grant of prayer clause (b) does not arise. The Notice of Motion accordingly stands disposed of.

(R.M.S.KHANDEPARKAR, J)

(D.G.KARNIK, J)